**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN**

**WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929**

**OP.No. 12503 of 2000(L)**

**PETITIONER:**

1. **M.V.CHANDRAN,**
   **ASST.TOWN PLANNER, KOZHIKODE,**
   **RESIDING AT MAKORAM VEETTIL, PONNANI P.O.,**
   **MALAPPURAM DISTRICT.**

2. **N.K.RAJU,**
   **ASST.TOWN PLANNER, KOTTAYAM,**
   **RESIDING AT NARITHOOKIYIL,**
   **KANJIRATHANAM POST, KOTTAYAM DISTRICT.**

**BY ADV. SRI.BIJU BALAKRISHNAN**

**RESPONDENTS:**

1. **STATE OF KERALA,**
   **REPRESENTED BY THE SECRETARY,**
   **LOCAL ADMINISTRATION (G) DEPARTMENT,**
   **GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE CHIEF TOWN PLANNER,**
   **OFFICER OF THE TOWN AND COUNTRY PLANNING,**
   **PALAYAM, THIRUVANANTHAPURAM.**

**BY GOVERNMENT PLEADER SMT. REMANI**

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 20/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ORDER ON C.M.P.NOS.20506 & 31288/2000 IN O.P.NO.12503/2000 L**

**CLOSED**

**20/06/2007** **SD/-THOTTATHIL B.RADHAKRISHNAN, JUDGE**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

**EXT.P1:** **COPY OF THE DRAFT SPECIAL RULES FOR THE KERALA TOWN PLANNING SERVICE RULES PASSED BY THE 1ST RESPONDENT.**

**EXT.P2:** **COPY OF THE QUESTION AND ANSWERS DTD. 29/07/1997 FROM THE KERALA LEGISLATIVE ASSESMBLY.**

**EXT.P3:** **COPY OF MINUTES OF THE MEETING HELD ON 18/12/1998.**

**EXT.P4:** **COPY OF JUDGMENT DTD. 31/03/1999 IN O.P.NO.7380 OF 1999C OF THIS HON'BLE COURT.**

**EXT.P5:** **COPY OF REPRESENTATION DTD. 6/03/2000 FILED BY THE TOWN PLANNING STAFF ASSOCIATION BEFORE THE FIRST RESPONDENT.**

**EXT.P6:** **COPY OF GAZETTE NOTIFICATION IN PAGE NO.383 DTD. 6/04/1999 IN THE KERALA GAZETTE.**

**EXT.P7:** **COPY OF REPRESENTATION DTD. 6/04/2000 FILED BY THE TOWN PLANNING STAFF ASSOCIATION BEFORE THE 2ND RESPONDENT.**

**EXT.P8:** **COPY OF ORDER G.O.(RT) NO.2013/2000/LSGD DTD. 18/05/2000 OF THE LOCAL SELF GOVERNMENT DEPARTMENT.**

**/TRUE COPY/**

*KSS*

**THOTTATHIL B. RADHAKRISHNAN, J.**

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O.P.No. 12503 of 2000 (L)

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Dated this the 20th day of June, 2007

**J U D G M E N T**

Read Order dated 28/05/2007.

2. Learned Government Pleader submits on instructions that, Special Rules were formulated and implemented from 31/01/2001. Learned counsel for the petitioner on instructions also submits that, Rules have been published.

Hence, petition closed without prejudice to any right of the petitioner under the Special Rules, if entitled to be raised, in accordance with the law.

**THOTTATHIL B.RADHAKRISHNAN**
**Judge**

ms

**THOTTATHIL B. RADHAKRISHNAN, J.**

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O.P.No. 12503 of 2000 (L)

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# J U D G M E N T

20th June, 2007